

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

Clifford Hussey

Case No.

Case: 2:23-mj-30232
 Assigned To : Unassigned
 Assign. Date : 6/6/2023
 CMP USA V HUSSEY (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 4, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.



Complainant's signature

Eric Miller, Special Agent, ATF
 Printed name and title



Judge's signature

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: June 6, 2023

City and state: Detroit, Michigan

Hon. Anthony P. Patti, United States Magistrate Judge
 Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AFFIDAVIT IN SUPPORT OF AN CRIMINAL COMPLAINT

I, Eric Miller, being first duly sworn, hereby state:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I began with the ATF in June of 2018. I have a Bachelor of Arts in Criminal Justice and a Bachelor of Arts in Psychology from Michigan State University. I am a graduate of the Criminal Investigator Training Program and the ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. I received extensive training on firearms identification and common scenarios involving firearms and narcotics trafficking. I was previously employed with the Department of Homeland Security as a federal law enforcement officer and investigator since March 2004.

2. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, review of reports by myself and/or other law enforcement agents, and information gained through my training and experience. The information outlined below is provided for the limited

purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. ATF is currently conducting a criminal investigation concerning Clifford HUSSEY (B/M; DOB: XX/XX/1990) for violation of 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm).

PROBABLE CAUSE

4. I reviewed a computerized criminal history, Michigan Sixth Circuit Court records, and Eastern District of Michigan records for HUSSEY, which revealed the following felony arrests and convictions.

a. On October 11, 2010, HUSSEY was charged with four counts of assault with intent to rob while armed in Oakland County Sixth Circuit Court. On July 26, 2011, HUSSEY pleaded nolo contendere to one count of felony unarmed robbery. HUSSEY was sentenced to one year incarceration in the Oakland County Jail.

b. On April 25, 2012, HUSSEY was charged in a federal indictment with one count of assault on a federal officer in the Eastern District of Michigan—Southern Division. On August 13, 2012, HUSSEY pleaded guilty as charged. HUSSEY was sentenced to 48 months' incarceration in the Bureau of Prisons, followed by a term of supervised release. HUSSEY violated the terms of supervised

release and on October 30, 2018, was sentenced to an additional 12 months' incarceration.

- c. On December 14, 2019, HUSSEY was arrested by officers from the Williston Police Department in North Dakota. HUSSEY was charged with felony fleeing a peace officer-vehicle, driving under suspension, failure to halt, reckless driving, and leaving the scene of an accident involving damage to a motor vehicle. On August 25, 2020, HUSSEY pleaded guilty to felony fleeing a peace officer-vehicle, refusal to halt, reckless driving, and leaving the scene of an accident involving damage to a motor vehicle. HUSSEY was sentenced to 360 days' incarceration (345 days suspended) and two years of probation. HUSSEY violated probation and on September 22, 2021, his probation was revoked, and he was resentenced to 345 days' incarceration (258 days suspended) and two years of probation.

- d. Because HUSSEY has been convicted of multiple felony offenses, has served multiple periods of incarceration as a result of those convictions, and was convicted of a felony as recently as 2019, there is probable cause to believe that HUSSEY is aware of his status as a convicted felon.

5. On June 4, 2023, at approximately 7:28 p.m., Detroit Police officers in a semi-marked scout car and modified uniform were on routine patrol in the area of Chalmers Street and the I-94 service drive. Officers observed a gray Chevy Malibu—driven by Clifford HUSSEY—use the shoulder to make a righthand turn onto the service drive. The officers queried the license plate of the vehicle and discovered that the vehicle was not insured. The officers effectuated a traffic stop on the Malibu.

6. Within seconds of the Malibu coming to a stop, HUSSEY opened the driver's door and got out of the vehicle. HUSSEY reached into his waistband and pulled out his wallet as the officers ordered him to stop. The officers ordered HUSSEY to stand at the front of their patrol vehicle with his hands on the hood.

7. One of the officers talked to HUSSEY at the hood of the patrol vehicle. The officer explained the reason for the stop and asked HUSSEY questions. While speaking with the officer, HUSSEY behaved nervously and continually removed his hands from the hood. The officer radioed dispatch, requesting additional officers. Once additional officers arrived on scene, the officer who originally spoke with HUSSEY told his partner to order a tow and walked over to the Malibu.

8. The officer looked into the car with his flashlight and observed a spent shell casing inside the vehicle. The officer looked under the driver's seat, where

HUSSEY had been seated, and observed a black Glock 17, 9mm handgun. The officer notified his partner and the other officers of the firearm, and the officers attempted to place HUSSEY under arrest.

9. Officers ordered HUSSEY to place his hands behind his back multiple times, but HUSSEY refused, tensing up his body and pulling away from the officers. The officers told HUSSEY he would be tased if he did not put his hands behind his back. An officer aimed his taser at HUSSEY and HUSSEY tried to grab the taser from the officer before running across the street. An officer tased HUSSEY as he attempted to hop a fence. Officers attempted to handcuff HUSSEY, but he continued to pull away from them and disregard their commands to place his hands behind his back. Ultimately, the officers were able to secure HUSSEY by using another set of handcuffs. Officers recovered the aforementioned firearm from under the front driver's seat after HUSSEY was in custody.

10. On June 5, 2023, I contacted ATF Interstate Nexus Expert, Special Agent Kara Klupacs and provided a verbal description of the Glock 17, 9mm handgun recovered by Detroit Police officers on June 4, 2023. SA Kara Klupacs advised the firearm was manufactured outside of the state of Michigan, and therefore has traveled in and affected interstate commerce.

CONCLUSION

11. Based upon the aforementioned facts stated herein, there is probable cause to believe Clifford HUSSEY (B/M; DOB: XX/XX/1990), a convicted felon aware of his felony convictions, did knowingly and intentionally possess a Glock 17, 9mm handgun, said firearm having affected interstate commerce, in violation of 18 U.S.C. 922(g)(1) (Felon in Possession of a Firearm). Said violation occurring on or about June 4, 2023, in the city of Detroit, in the County of Wayne, in the Eastern Judicial District of Michigan.

Respectfully submitted,



Eric Miller
Special Agent, ATF

Sworn to before me and signed in my presence and/or by reliable electronic means.



Honorable Anthony P. Patti
United States Magistrate Judge

Dated: June 6, 2023